

## LOCAL ACCESS SERVICE

## VIRTUAL COLLOCATION (Continued)

**13.0 RATE REGULATIONS** (Continued)

## 13.1 Rate Elements for SWBT Central Offices (Continued)

## (F) Entrance Fiber

This sub-element provides for SWBT pulling and splicing fiber cable between the manhole and cable vault, and the subsequent routing of fiber riser cable between the cable vault and FDF. (Note: Virtually Collocated Equipment may also be connected to dedicated transport facilities provided as Unbundled Network Elements in lieu the entrance fiber. When Virtually Collocated Equipment is connected to dedicated transport facilities in lieu of the entrance fiber, the terms, conditions and charges for such dedicated transport facilities are pursuant to the Collocator/SWBT Interconnection Agreement. No recurring or non-recurring charges for dedicated transport facilities provided as used are applicable pursuant to this Tariff). Charges for this rate element are in 13.3(F)(1).

## (1) Entrance Conduit

This sub-element represents any reinforced passage or opening in, on, under, over or through the ground between the first manhole and the cable vault through which the fiber optic cable is placed. Charges for this sub-element are specified in 13.3(F)(2).

## (G) Power Arrangement

This sub-element is the cable and cable rack including support and fabrication material necessary to support the virtually collocated equipment expressed as a monthly rate for either 2-20 AMP feeds or 2-50 AMP feeds. Fuse panels necessary for terminating power feeds are provided by the Collocator. In the event that a Collocator requires a power arrangement that exceeds 50 AMPS from a single source, SWBT will cooperatively work with the Collocator using comparable rate elements as the basis for such arrangements. Cable sizing is based on list 2 design loads. Charges for this sub-element are specified in 13.3(G)(1-2).

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LOCAL ACCESS SERVICE

VIRTUAL COLLOCATION (Continued)

**13.0 RATE REGULATIONS** (Continued)

13.1 Rate Elements for SWBT Central Offices (Continued)

(H) Power Consumption

(1) D.C. Power Per AMP

The DC power charge consists of use of the DC power system, with AC input and AC backup for redundant power expressed as a monthly rate. This rate element also includes the AC Power Usage to provide DC power to the virtually collocated equipment. DC Power Charge is on a per amp basis. Charges for this sub-element are specified in 13.3(H)(1).

(2) Heating, Ventilating, and Air Conditioning (HVAC)

This sub-element consists of the elements necessary to provide HVAC within the Eligible Structure to the collocation arrangement and is based on the heat dissipation required for each 10 amps of DC power. Charges for this sub-element are specified in 13.3(H)(2).

(3) Ground Cable Arrangement

The Ground Cable is the cabling arrangement designed to provide grounding for equipment per frame expressed as a monthly rate. Separate Ground Cable Arrangements are required for Integrated and Isolated Ground Planes. Charges for this sub-element are specified in 13.3(H)(3).

(I) Voice Grade Interconnection Arrangement

This sub-element provides for the cost associated with providing 100 voice grade pairs Non-shielded or Shielded between the SWBT Distributing Frame and the virtually collocated equipment expressed as a combination of a non-recurring charge and a monthly rate. Charges for this sub-element are specified in 13.3(I).

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VIRTUAL COLLOCATION (Continued)

**13.0 RATE REGULATIONS** (Continued)

13.1 Rate Elements for SWBT Central Offices (Continued)

(J) DS-1 Interconnection Arrangement to DCS

This sub-element provides for the cost associated with providing 28 DS-1 circuits between SWBT DCS functionality purchased from the Collocators interconnection agreement and the virtually collocated equipment expressed as a combination of a non-recurring charge and a monthly rate. Charges for this sub-element are specified in 13.3(J). This includes the DS1-Port connecting to the virtual collocation arrangement.

(K) DS-1 Interconnection Arrangement to DSX

This sub-element provides for the cost associated with providing 28 DS-1 circuits between SWBT's DSX functionality purchased from the Collocators interconnection agreement and the virtually collocated equipment expressed as a combination of a non-recurring charge and a monthly rate. Charges for this sub-element are specified in 13.3(K).

(L) DS-3 Interconnection Arrangement to DCS

This sub-element provides for the cost associated with providing one DS-3 circuit between SWBT's DCS functionality purchased from the Collocators interconnection agreement and the virtually collocated equipment expressed as a combination of a non-recurring charge and a monthly rate. Charges for this sub-element are specified in 13.3(L).

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LOCAL ACCESS SERVICE

VIRTUAL COLLOCATION (Continued)

**13.0 RATE REGULATIONS (Continued)**

13.1 Rate Elements for SWBT Central Offices (Continued)

(M)DS-3 Interconnection Arrangement to DSX

This sub-element provides for the cost associated with providing one DS-3 circuit between SWBT's DSX functionality purchased from the Collocators' interconnection agreement and the virtually collocated equipment expressed as a combination of a non-recurring charge and a monthly rate. Charges for this sub-element are specified in 13.3(M).

(N) Fiber Interconnection Arrangement

This sub-element provides for the cost associated with providing 12 fibers between SWBT's FDF and the virtually collocated equipment expressed as a combination of a non-recurring charge and a monthly rate. Charges for this sub-element are specified in 13.3(N).

(O) Collocation to Collocation Connection

This rate element includes virtual to virtual and virtual to physical connection options.

(1) Fiber Cable (12 Fibers)

This sub-element provides for direct cabling using fiber cable (12 fibers) between two collocation arrangements at an Eligible Structure. This sub-element is expressed as a combination of a non-recurring charge and a monthly rate and these charges are specified in 13.3(O)(1).

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VIRTUAL COLLOCATION (Continued)

**13.0 RATE REGULATIONS** (Continued)

13.1 Rate Elements for SWBT Central Offices (Continued)

(O) Collocation to Collocation Connection (continued)

(2) Copper Cable (28 DS1s)

This sub-element provides for direct cabling using copper cable (28 DS1s) between two collocation arrangements at an Eligible Structure. This sub-element is expressed as a combination of a non-recurring charge and a monthly rate and these charges are specified in 13.3.(O)(2).

(3) Coax Cable (1 DS3)

This sub-element provides for direct cabling using coaxial cable (1 DS3) between two collocation arrangements at an Eligible Structure. This sub-element is expressed as a combination of a non-recurring charge and a monthly rate and these charges are specified in 13.3(O)(3).

(4) Cable Racking and Hole

This sub-element provides for cable rack space and hole for copper, coax and optical cabling between two virtual collocation arrangements at an Eligible Structure. This sub-element is expressed as a monthly rate and in 13.3(O)(4).

(5) Route Design

This sub-element provides the route design for collocation connections. This sub-element is expressed as a non-recurring charge and this charge is specific in 13.3(O)(5).

(P) Timing Source Arrangement (Optional)

An SWBT provided single signal from the SWBT timing source to provide synchronization between a Collocator's single network element and SWBT's equipment expressed as a recurring and non-recurring rate. Charges for this sub-element, if requested by the Collocator, are specified in 13.3(P).

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## LOCAL ACCESS SERVICE

## VIRTUAL COLLOCATION (Continued)

**13.0 RATE REGULATIONS (Continued)**

## 13.1 Rate Elements for SWBT Central Offices (Continued)

## (Q) Training

SWBT is responsible for determining when training is necessary and how many SWBT employees require training to provide 24 hour a day, seven day a week coverage for the installation, maintenance and repair of Collocator's designated equipment not currently used in a wire center selected by the Collocator for virtual collocation. SWBT will be limited to request training for four (4) SWBT personnel per location, unless a different number is mutually agreed upon by SWBT and Collocator.

The Collocator may have SWBT arrange for the required training of SWBT personnel. The non-recurring charges applicable for training are listed in section 13.3(Q) (Rates and Charges)

If the Collocator does not have SWBT coordinate the required training, the Collocator may assume the responsibility for providing the training. It is then the responsibility of the Collocator to:

- (1) arrange and pay to the supplier all costs for training sessions, including, the cost of the trainer(s), transportation and lodging of such trainer(s), and required course material, and
- (2) arrange and pay to each individual supplier all costs associated with lodging and other than local transportation, such as airfare, required for SWBT employee training.
- (3) arrange and pay all costs associated with SWBT's employee(s) attendance at the training, including, lodging and other than local transportation, such as airfare, and employee(s) labor rate for time away from the job, required for SWBT employee training.

SWBT will work cooperatively with the Collocator to schedule SWBT personnel training time required for the installation, maintenance and repair of the Collocator's designated equipment. The Collocator will be assessed two hours of the technician additional labor charge for SWBT personnel time required to coordinate training activities with the Collocator. The Collocator will be responsible for reimbursement of applicable SWBT contractual compensation obligations for time spent as a result of the necessary training. All other charges, if applicable, specified in 13.3(Q)(Training) will be assessed to the Collocator.

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LOCAL ACCESS SERVICE

VIRTUAL COLLOCATION (Continued)

**13.0 RATE REGULATIONS (Continued)**

13.1 Rate Elements for SWBT Central Offices (Continued)

(R) Maintenance and Repair Labor Rates

(1) Maintenance of Equipment

This rate element is a labor rate charged by SWBT to the Collocator for ongoing maintenance of the Collocator's equipment. Any maintenance requirements will be initiated by the Collocator. Labor rates are based upon a ¼ hour basis and are dependent upon day of week and time of day. For purposes of this Tariff, normal week day is defined as 8:00 a.m. through 5:00 p.m., Monday through Friday, excluding holidays. Non-recurring charges for this sub-element are specified in 13.3(R).

(2) Repair of Equipment

This rate element is a labor rate charged by SWBT to the Collocator for repair of the Collocator's equipment. All repair will be at the direction of the Collocator.

Labor rates are based upon a charge for Network Operations Center (NOC) personnel to take the trouble report, create a trouble ticket, and dispatch a technician. Labor rates for actual repair of the trouble are based upon a 1/4 hour basis and are dependent upon day of week and time of day. For purposes of this Tariff, normal week-day is defined as 8:00 a.m. through 5:00 p.m., Monday through Friday excluding holidays. Non-recurring charges for this sub-element are specified in 13.3(R).

(S) Equipment Evaluation Cost

This rate element is a labor rate charged by SWBT to the Collocator for evaluating the Collocator's equipment when not meeting Level 1 Safety requirements as set forth in Bellcore Network Equipment - Building System (NEBS). Charges for this element is specified in 13.3(S).

(T) Test and Acceptance

This rate element is a labor rate charged by SWBT to the Collocator for cooperative assisting the Collocator's approved vendor in testing and accepting the installed virtually collocated equipment. Charges for this element are specified in 13.3(T).

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LOCAL ACCESS SERVICE

VIRTUAL COLLOCATION (Continued)

**13.0 RATE REGULATIONS** (Continued)

13.2 Rate Elements for SWBT CEVs, Huts and Cabinets

The following provides a list of the specific rate elements for virtual collocation for access to SWBT provided UNEs in SWBT CEVs, Huts and Cabinets. Charges applicable to virtual collocation in these structures other than those specified below are listed in Section 25 of the FCC 73 Access Service Tariff.

(A) Entrance Cable Fiber

This sub-element provides for the engineering of a point of appearance cable termination, preparation of work order drawings, postings of the work order and cable data in the appropriate databases for inventory and provisioning purposes, excavation to expose existing subsurface facilities, pulling the Collocator-provided cable into the eligible structure, routing, securing and preparing the end for splicing or termination. Charges for this sub-element are expressed as a non-recurring charge and can be found in 13.4(A).

(B) Entrance Conduit

Any reinforced passage or opening placed for the Collocator provided facility in, on, under/over or through the ground between the SWBT CEV, Hut, or Cabinet and the Collocator structure. Rates and charges are as found in Paragraph 13.4(B) following.

(C) Power Consumption

This sub-element provides for the use of power in the Hut, CEV, or Cabinet based on the amount of mounting space that is used by the Collocator as measured in 2-inch increments. Charges for this sub-element are expressed as a recurring charge and can be found in 13.4(C).

(D) 24-Foot CEV

This sub-element provides the use of mounting space within a 24-Foot CEV. This element is expressed as a monthly rate. The charges for this sub-element is specified in 13.4(D).

(E) 16-Foot CEV

This sub-element provides the use of mounting space within a 16-Foot CEV. This element is expressed as a monthly rate. The charge for this sub-element is specified in 13.4(E).

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LOCAL ACCESS SERVICE

VIRTUAL COLLOCATION (Continued)

**13.0 RATE REGULATIONS (Continued)**

13.2 Rate Elements for SWBT CEVs, Huts and Cabinets (Continued)

(F) Maxi-Hut

This sub-element provides the use of mounting space within a Maxi-Hut. This element is expressed as a monthly rate. The charge for this sub-element is specified in 13.4(F).

(G) Mini-Hut

This sub-element provides the use of mounting space within a Mini-Hut. This element is expressed as a monthly rate. The charge for this sub-element is specified in 13.4(G).

(H) Large Cabinet

This sub-element provides the use of mounting space within a Large Cabinet. This element is expressed as a monthly rate. The charge for this sub-element is specified in 13.4(H).

(I) Medium Cabinet

This sub-element provides the use of mounting space within a Medium Cabinet. This element is expressed as a monthly rate. The charge for this sub-element is specified in 13.4(I).

(J) Small Cabinet

This sub-element provides the use of mounting space within a Small Cabinet. This element is expressed as a monthly rate. The charge for this sub-element is specified in 13.4(J).

(K) Project Coordination Fee

The project coordination fee provides for SWBT personnel to survey each requested CEV, Hut and Cabinet for availability of space for placement of copper or fiber cables as well as to determine space for any Collocator-designated equipment. This sub-element is expressed as a non-recurring charge and is specified in 13.4(K).

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## LOCAL ACCESS SERVICE

## 1. VIRTUAL COLLOCATION (Continued)

## 13.0 RATE REGULATIONS (Continued)

## 13.3 Rates and Charges Central Offices

	<u>USOC</u>	<u>Rate Per Month</u>	<u>Nonrecurring Charge</u>
(A) Planning Fee			
(1) Planning Fee		\$0.00	\$5,555.76
- Initial		0.00	2,224.49
- Subsequent (Interconnection Cabling)		0.00	2,303.84
- Subsequent (Interconnection and Power Cabling)		0.00	2,882.61
(B) Floor Space			
(Per Bay Framework)		\$28.91	\$0.00
(C) Relay Rack			
(Per Rack)		\$22.19	\$0.00
(D) Common Systems Material			
(Per Standard Bay)		\$10.75	\$0.00
(Per Non-Standard Bay)		19.36	0.00
(E) Real Estate			
(1) Site Conditioning (Per Frame)		\$92.81	\$0.00
(2) Safety & Security (Per Frame)		195.57	0.00
(F) Entrance Fiber Placement			
(1) Entrance Fiber Cable Placement			
(Per Fiber Cable Sheath)		\$11.01	\$1,971.42
(2) Entrance Conduit		8.17	0.00
(G) Power Arrangement			
(1) 2-20 AMP Feeds (Per 2-20 Amp Power Feeds)		\$7.74	\$1,570.84
(2) 2-50 AMP Feeds (Per 2-50 Amp Power Feeds)		9.57	1,954.85

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## LOCAL ACCESS SERVICE

## VIRTUAL COLLOCATION (Continued)

**13.0 RATE REGULATIONS (Continued)**

## 13.3 Rates and Charges Central Offices

	<u>USOC</u>	<u>Rate Per Month</u>	<u>Nonrecurring Charge</u>
(H) Power Consumption			
(1) DC Power Per AMP		\$10.61	\$0.00
(2) Heating Ventilating, and Air Conditioning (Per 10 Amps)		14.62	0.00
(3) Ground Cable Arrangement (Per Frame)		0.36	0.00
(I) Voice Grade Interconnection Arrangement (Non-Shielded or Shielded) (Per 100 Pairs)		\$4.94	\$1,481.37
(J) DS1 Interconnection Arrangements to DCS (Per 28 DS1s)		\$297.44	\$4,067.27
(K) DS1 Interconnection Arrangement to DSX (Per 28 DS1s)		\$9.79	\$1,800.69
(L) DS3 Interconnection  Arrangement to DCS (Per DS3)		\$115.59	\$2,635.79

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## LOCAL ACCESS SERVICE

## VIRTUAL COLLOCATION (Continued)

**13.0 RATE REGULATIONS (Continued)**

## 13.3 Rates and Charges Central Offices (Continued)

	<u>USOC</u>	<u>Rate Per Month</u>	<u>Nonrecurring Charge</u>
(M) DS3 Inteconnection			
Arrangement to DSX (Per DS3)		\$7.14	\$1,058.10
(N) Fiber Interconnection			
Arrangement (12 Fibers)		\$6.55	\$1,996.19
(O) Collocation-to-Collocation Connection			
(1) Fiber Cable (12 Fibers)			
- SWBT Provides Cable and Installs		\$3.32	\$1,095.09
(2) Copper Cable (28 DS1s)			
- SWBT Provides Cable and Installs		\$3.34	\$930.53
(3) Coax Cable (1 DS3)			
- SWBT Provides Cable and Installs		\$3.26	\$706.77
(4) Cable Racking and Hole			
- For Optical (Per Cable)		\$0.90	\$0.00
- DS1 (Per Cable)		0.49	0.00
- DS3 (Per Cable)		0.35	0.00

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## LOCAL ACCESS SERVICE

## VIRTUAL COLLOCATION (Continued)

## 13.0 RATE REGULATIONS (Continued)

## 13.3 Rates and Charges Central Offices (Continued)

	<u>USOC</u>	<u>Rate Per Month</u>	<u>Nonrecurring Charge</u>
(O) Virtual Collocation-to-Virtual Collocation Connection (Continued)			
(5) Route Design		0.00	463.36
(P) Timing Source Arrangement			
- Timing Lead (1 pair per circuit)			
(per linear foot per pair)		\$0.08	\$14.81
- Bits Timing (Per two circuits)		3.58	698.82
(Q) Training			
(1) Communications Technician, per ½ hour		\$0.00	\$39.21
(2) C.O. Manager, per ½ hour		0.00	39.45
(3) Power Engineer, per ½ hour		0.00	38.47
(4) Equipment Engineer, per ½ hour		0.00	38.47
(R) Maintenance and Repair Rates			
(1) Staffed CO During Attended Hours			
- Each ¼ hour		\$0.00	\$15.15
(2) Staffed CO During Unattended Hours			
- Initial 4 Hours		0.00	242.35
- Each Additional ¼ hour		0.00	15.15
(3) Not Staffed CO/RT During Normal Business Day			
- Each ¼ hour		0.00	15.15

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## LOCAL ACCESS SERVICE

## VIRTUAL COLLOCATION (Continued)

**13.0 RATE REGULATIONS (Continued)**

## 13.3 Rates and Charges (Continued)

	<u>USOC</u>	<u>Rate Per Month</u>	<u>Nonrecurring Charge</u>
(R) Maintenance and Repair Rates (continued)			
(4) Not-Staffed CO/RT During Non-Normal Business Day			
- Initial 4 Hours		0.00	242.35
- Each Additional ¼ hour		0.00	15.15
(S) Equipment Evaluation Cost			
- Each ½ hour		0.00	38.47
(T) Test and Acceptance			
- Each ½ hour		0.00	39.21

## 13.4 Rates and Charges CEVs, Huts and Cabinets

(A) Entrance Fiber Cable Placement Fiber (per cable)		\$0.00	\$53.58
(B) Entrance Conduit (Per Fiber Cable Sheath)		2.61	0.00
(C) Power Consumption (Per 2-inch mounting space)		1.27	0.00

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## LOCAL ACCESS SERVICE

## VIRTUAL COLLOCATION (Continued)

**13.0 RATE REGULATIONS (Continued)**

## 13.4 Rates and Charges CEVs, Huts and Cabinets (continued)

(D) 24-Foot CEV (Per 2-inch mounting space)	1.64	0.00
(E) 16-Foot CEV (Per 2-inch mounting space)	1.77	0.00
(F) Maxi-Hut (Per 2-inch mounting space)	0.77	0.00
(G) Mini-Hut (Per 2-inch mounting space)	1.33	0.00
(H) Large Cabinet (Per 2-inch mounting space)	1.63	0.00
(I) Medium Cabinet (Per 2-inch mounting space)	2.19	0.00
(J) Small Cabinet (Per 2-inch mounting space)	3.29	0.00
(K) Project Coordination Fee (Per CLEC Application/Augment)	0.00	631.17

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## LOCAL ACCESS SERVICE

## VIRTUAL COLLOCATION (Continued)

**14.0 ALTERNATIVE VIRTUAL COLLOCATION ARRANGEMENT DESCRIPTION**

Virtual collocation wherein the Collocator maintains and repairs the virtually collocated equipment.

For purposes of virtually collocating equipment, SWBT shall determine which Eligible Structures require access to CEVs, Huts, or manholes containing concentrated cabling and other forms of equipment that requires drawings, schematics, or other engineering documents that aide in the prevention of accidental network outages. The drawings, schematics, or other engineering documents shall denote the location of the requesting Collocator's equipment and cabling without disclosing identity of equipment and cabling belonging to SWBT and other Collocators. Provided that SWBT is not required to make this determination prior to an executed agreement to virtually collocate in an Eligible Structure.

After Collocator has been provided with written notification by SWBT that access to CEVs, Huts, or manholes containing concentrated cabling and other forms of equipment requires drawings, schematics, or other engineering documents that aide in the prevention of accidental network outages, Collocators may not enter an Eligible Structures without obtaining undated copies of drawings, schematics, or other engineering documents. Upon request, SWBT shall immediately make available to Collocators those drawings, schematics, or other engineering documents that identify the location of the requesting Collocator's equipment and cabling. In the event the requested documents are not immediately available, SWBT shall not prevent the Collocator from entering the Eligible Structure. If SWBT does not immediately make the requested documents available to a Collocator and the Collocator enters the eligible structure, SWBT shall deliver the requested documents to Collocator immediately upon locating same.

SWBT will provide a security escort with the Collocator paying the expense for the escort. In areas defined in SWBT's local exchange tariff as rate groups C and D, SWBT will provide the security escort within one (1) hour of notification by the Collocator. In areas defined in SWBT's local exchange tariff as rate A and B, SWBT will provide the security escort as soon as reasonably possible, or within the time frame agreed to by the parties, at the time of notice. In the event the FCC determines that SWBT may not require a security escort paid for by the Collocator, then this virtual collocation maintenance alternative as described in this Paragraph 14.0 and in Paragraph 1.0(2) is null and void, and all virtual collocation will be maintained by SWBT as described in Paragraph 1.0(1).

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## LOCAL ACCESS SERVICE

## VIRTUAL COLLOCATION (Continued)

**14.0 ALTERNATIVE VIRTUAL COLLOCATION ARRANGEMENT DESCRIPTION  
(continued)**

Prior to entering an Eligible Structure that requires drawings, schematics, or other engineering documents, Collocators must provide SWBT with reasonable notice of the entry. Notice will be provided to SWBT's Local Operations Center, which will be available to receive notice 24 hours a day, 7 days a week. Collocators providing notice to SWBT's Local Operations Center must specify the title and date of all drawings, schematics, or other engineering documents that will be used while in the Eligible Structure.

The Collocator shall conduct background checks of the technicians who have access to the collocation space. Collocator technicians will be security qualified by the Collocator and will be required to be knowledgeable of SWBT security standards. Disciplinary procedures shall be established in accordance with Section 15.3 to ensure the safety and integrity of the Eligible Structure, including, e.g., procedures that require the responsible employee to be terminated for certain specified actions that damage or place the equipment of SWBT or other Collocators in jeopardy.

SWBT may use security devices, e.g., identification swipe cards, keyed access, and/or logs, as appropriate for the Eligible Structure where collocation will take place.

The Commission will permit SWBT to recover the cost of such security devices from the Collocators in a reasonable manner. The Collocator shall provide indemnification and insurance to cover any damages caused by the Collocator's technicians at a level commensurate with the indemnification and insurance provided by SWBT equipment suppliers with equivalent access.

Provisioning of equipment required for virtual collocation, e.g., power arrangements and interconnection arrangements will be provided in accordance with this tariff and interconnection agreements.

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## LOCAL ACCESS SERVICE

## VIRTUAL COLLOCATION (Continued)

**15.0 OBLIGATIONS OF THE COLLOCATOR****15.1 Indemnification of SWBT**

Except as otherwise provided and to the extent not contradicted herein, the indemnity provisions of the Interconnection Agreement between SWBT and the Collocator shall apply and are incorporated herein by this reference. However, in no event will the provisions in this section supersede or override the indemnification provisions contained in the interconnection agreement between SWBT and Collocator. Additionally, in the event of a conflict between indemnification provisions in the interconnection agreement and the Tariff, the provisions in the interconnection agreement will control.

Collocators shall indemnify and hold harmless SWBT the agents, employees, officers, directors and shareholders of any of them ("Indemnities"), from and against any and all liabilities, obligations, claims, causes of action, fines, penalties, losses, costs, expenses (including court costs and reasonable attorney's fees), damages, injuries, of any kind, (individually and collectively "Liabilities"), including but not limited to, Liabilities as a result of (a) injury to or death of any person; (b) damage to or loss or destruction of any property; or (c) Liabilities related in any manner to employee benefits, workers compensation, payroll tax, and any other employer obligations which may be asserted against SWBT where such liabilities arise in connection with Collocator's use of persons that it classifies as an independent contractor or subcontractor to perform obligations under this Tariff; (d) attachments, liens or claims of material persons or laborers arising out of or resulting from or in connection with this Tariff or the performance of or failure to perform and directly or indirectly caused, in whole or part, by acts of omissions, negligent or otherwise, of Collocator or a contractor or a representative of Collocator or an employee of any one of them, except to the extent such Liabilities arise from the negligence or willful or intentional misconduct of SWBT or its employees. The provisions in this section are reciprocal and applicable also to SWBT.

SWBT shall make best efforts to promptly notify Collocator of any suit or other legal proceeding asserting a claim for Liabilities. Upon request, Collocator shall, at no cost or expense to the Indemnitee, defend any such suit or legal proceeding asserting a claim for Liabilities, and Collocator shall pay any costs and attorneys' fees that may be incurred by any Indemnitee in connection with any such claim, proceeding or suit. Collocator shall also (a) keep SWBT and any other Indemnitee subject to any such claim fully informed as to the progress of such defense, and (b) afford SWBT and such Indemnitee, each at its own expense, an opportunity to participate on an equal basis with Collocator in the defense or settlement of any such claim.

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LOCAL ACCESS SERVICE

VIRTUAL COLLOCATION (Continued)

**15.0 OBLIGATIONS OF THE COLLOCATOR** (Continued)

15.2 Insurance

The Collocator agrees to maintain, at all times, the following minimum insurance coverages and limits and any additional insurance and/or bonds required by law:

- (A) Workers' Compensation insurance with benefits afforded under the laws of the State of Missouri and Employers Liability insurance with minimum limits of \$100,000 for Bodily Injury-each accident, \$500,000 for Bodily Injury by disease-policy limits and \$100,000 for Bodily Injury by disease-each employee.
- (B) Commercial General Liability insurance with minimum limits of: \$2,000,000 General Aggregate limit; \$1,000,000 each occurrence sub-limit for all bodily injury or property damage incurred in any one occurrence; \$1,000,000 each occurrence sub-limit for Personal Injury and Advertising; \$2,000,000 Products/Completed Operations Aggregate limit, with a \$1,000,000 each occurrence sub-limit for Products/Completed Operations. Fire Legal Liability sub-limits of \$300,000 are required for lease agreements. SWBT will be named as an Additional Insured on the Commercial General Liability policy.
- (C) If use of an automobile is required, Automobile Liability insurance with minimum limits of \$1,000,000 combined single limits per occurrence for bodily injury and property damage, which coverage shall extend to all owned, hired and non-owned vehicles.

SWBT requires that companies affording insurance coverage have a B+ VII or better rating, as rated in the A.M. Best Key rating Guide for Property and Casualty Insurance Companies.

A certificate of insurance stating the types of insurance and policy limits provided the Collocator must be received prior to commencement of any work. The insurance provisions and requirements are reciprocal to SWBT as well. If a certificate is not received, SWBT will notify the Collocator and the Collocator will have 5 business days to cure the deficiency. If the Collocator does not cure the deficiency within 5 business days, Collocator hereby authorizes SWBT, and SWBT may, but is not required to, obtain insurance on behalf of the Collocator as specified herein. SWBT will invoice Collocator for the costs incurred to so acquire insurance.

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LOCAL ACCESS SERVICE

VIRTUAL COLLOCATION (Continued)

**15.0 OBLIGATIONS OF THE COLLOCATOR** (Continued)

15.2 Insurance (Continued)

The cancellation clause on the certificate of insurance will be amended to read as follows:

"SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED OR MATERIALLY CHANGED, THE ISSUING COMPANY WILL MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER."

The Collocator shall also require all contractors who may enter the Eligible Structure to maintain the same insurance requirements listed above.

Self-insurance in lieu of the insurance requirements listed preceding shall be permitted if the Collocator 1) has a tangible net worth of Fifty (50) Million dollars or greater, and 2) files a financial statement annually with the Securities and Exchange Commission and/or having a financial strength rating of 4A or 5A assigned by Dun & Bradstreet. The ability to self-insure shall continue so long as the Collocator meets all of the requirements of this Paragraph. If the Collocator subsequently no longer satisfies this Paragraph, the coverage requirements described above shall immediately apply.

15.3 Conduct While in SWBT Eligible Structures

Collocators and SWBT will each establish disciplinary procedures up to and including dismissal or denial of access to the Eligible Structure and other SWBT property for certain specified actions that damage, or place the equipment, facilities, or the network or the personnel of the Collocators or SWBT in jeopardy. The following are actions that could damage or place the Eligible Structure, or the network or the personnel of the Collocators or SWBT in jeopardy and may justify disciplinary action up to and including dismissal or the denial of access to the Eligible Structure and other SWBT property:

- (a) Theft or destruction of SWBT's or Collocator's property;
- (b) Use/sale or attempted use/sale of alcohol or illegal drugs on SWBT property;
- (c) Threats or violent acts against other persons on SWBT property;
- (d) Knowing violations of any local, state or federal law on SWBT property;

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LOCAL ACCESS SERVICE

VIRTUAL COLLOCATION (Continued)

**15.0 OBLIGATIONS OF THE COLLOCATOR** (Continued)

15.3 Conduct While in SWBT Eligible Structures (Continued)

- (e) Permitting unauthorized persons access to SWBT or Collocator's equipment on SWBT property; and

Carrying a weapon on SWBT property.

In addition, Collocator and SWBT will take appropriate disciplinary steps as determined by each party to address any violations reported by SWBT or the Collocator of SWBT's policies and practices on security, safety, network reliability, and business conduct as defined in SWBT's Interconnector's Collocation Services Handbook for Virtual Collocation in Missouri, provided the Handbook and any and all updates to it are timely provided to Collocator at no charge.

**16.0 COOPERATIVE RESPONSIBILITIES**

16.1 Qualification of Collocators

Collocator technicians will be security qualified by the Collocator and will be required to be knowledgeable of SWBT security standards. Collocator personnel and technicians will undergo the same level of security training, or its equivalent that SWBT's own employees and authorized contractors must undergo. SWBT will not, however, require Collocators to receive security training from SWBT, but will provide information to Collocators on the specific type of training required. Collocators can then provide their employees with their own security training. Qualification program and security training details shall be included in SWBT's Interconnector's Collocation Services Handbook for Virtual Collocation in Missouri.

**17.0 RATE REGULATIONS**

The rate regulations, rate element descriptions and rates and charges included in 13.0 preceding apply to this virtual collocation alternative wherein the Collocator maintains and repairs the virtually collocated equipment. Additional rate elements and rates apply to this alternative as provided for below.

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LOCAL ACCESS SERVICE

VIRTUAL COLLOCATION (Continued)

**17.0 RATE REGULATIONS** (Continued)

17.1 Rate Elements for SWBT Offices

- (A) This security escort charge consists of the charges for SWBT-provided security escorts for Collocator Vendor's access to their virtual collocation space in Staffed and Unstaffed Central Offices. Any escort requirements will be initiated by the Collocator. Labor rates are based upon a  $\frac{1}{4}$  hour basis and are dependent upon day of week and time of day. For purposes of this tariff, normal week day is defined as 8:00 a.m. through 5:00 p.m., Monday through Friday, excluding holidays. The billing period will start at the time the technician is contacted. This will allow for travel time to reach the agreed meet point. Access requests outside of normal business hours or for unstaffed Central Offices which are cancelled will be subject to the minimum four (4) hour call out charge. Non-recurring charges for this sub-element are specified in 17.3(A) following.

17.2 Rate Elements for SWBT CEVs, Huts and Cabinets

(A) Security Escorts

The security escort charge consists of the charges for SWBT-provided security escorts for Collocator Vendor's access to their virtual collocation space in CEVs, Huts and Cabinets. Any escort requirements will be initiated by the Collocator. Labor rates are based upon a  $\frac{1}{4}$  hour basis. The billing period will start at the time the technician is contacted. This will allow for travel time to reach the agreed meet point. Access requests which are cancelled will be subject to the minimum four (4) hour call out charge. Rates and charges are as found in 17.4(A).

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## LOCAL ACCESS SERVICE

## VIRTUAL COLLOCATION (Continued)

**17.0 RATE REGULATIONS** (Continued)

## 17.3 Rates and Charges Central Offices

	<u>USOC</u>	<u>Rate Per</u> <u>Month</u>	<u>Nonrecurring</u> <u>Charge</u>
(A) Security Escorts			
Per visit			
(1) Staffed Building			
- Access during normal business hours			
- Each ¼ hour		\$0.00	\$15.15
- Each additional ¼ hour		0.00	15.15
- Access outside normal business hours			
- 4 hour minimum		0.00	242.35
- Each additional ¼ hour		0.00	15.15
(2) Unstaffed Building			
- Access during normal business hours			
- Each ¼ hour		0.00	15.15
- Each additional ¼ hour		0.00	15.15
- Access outside normal business hours			
- 4 hour minimum		0.00	242.35
- Each additional ¼ hour		0.00	15.15

## 17.4 Rates and Charges

## CEVs, Huts and Cabinets

(A) Security Escorts, per visit		
4 hours minimum	00.00	242.35
Each additional ¼ hour	00.00	15.15

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## LOCAL ACCESS SERVICE

## VIRTUAL COLLOCATION (Continued)

**18.0 CDOW (CLECs Doing Own Work) - Collocator Responsibilities**

When the Collocator selects the option to provide, install, and terminate their interconnection and power cabling with an SWBT Approved Vendor, the following paragraphs will apply. The terms and conditions within this tariff are relevant to CLEC's doing their own work.

- 18.1 The Collocator has the option to provide, install and terminate its interconnection cabling between the Collocator's Dedicated Space and the SWBT Main Distribution Frame or its equivalent by an SWBT Approved Vendor. This option is only available if Collocator does all three (3) activities associated with interconnection cabling: provide, install and terminate. The Collocator may not elect to do some but not all the activities. Collocator must indicate on its virtual collocation application that it has selected this option to apply to all interconnection cabling requested on the application. If Collocator selects this option, the Collocator must also select the option to provide, install and terminate its power cable leads described in Section 18.2. If Collocator selects this option, SWBT will install and stencil termination blocks or panels at SWBT Main Distribution Frame or its equivalent for the handoff of the Actual Point of Termination (APOT) Connection(s) to the Collocator's SWBT Approved Vendor. Intervals and provisioning for this offering is found in Section 18.3.1 through 18.3.5. The Collocator's SWBT Approved Vendor must obtain an approved Method Procedures (MOP) from SWBT and follow SWBT's Technical Publication TP 76300MP for installation of equipment and facilities;
- 18.2 The Collocator has the option to provide, install and terminate its power cable leads between the Collocator's Dedicated Space and SWBT's Battery Distribution Fuse Bay (BDFB) by an SWBT Approved Power Installation Vendor. When the SWBT designated power termination point is at the Power Plant Primary Distribution, the Collocator's SWBT Approved Power Installation Vendor will provide and install the power cable leads, but not terminate. The Collocator must contact the SWBT Project manager five (5) business days prior to scheduling a request for the termination of the Collocator's power cable leads to the SWBT Power Plant Primary Distribution, which will be performed by SWBT. This option is only available if the Collocator does all three (3) activities associated with the power cable lead unless described otherwise within this Section. The Collocator may not elect to do some but not all the activities unless otherwise permitted in this section. If Collocator selects this option, the Collocator must also select the option to provide, install and terminate its interconnection cabling described in Section 18.1. Intervals and provisioning for this offering is found in Section 18.3.1 through 18.3.5. The Collocator's SWBT Approved Power Installation Vendor must obtain an approved Method of Procedures (MOP) from SWBT and follow SWBT's Technical Publication TP 76300MP for installation of equipment and facilities.

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## LOCAL ACCESS SERVICE

## VIRTUAL COLLOCATION (Continued)

**18.0 CDOW (CLECs Doing Own Work) - Collocator Responsibilities (cont'd)**

## 18.3 Intervals and Provisioning

## 18.3.1 Implementation Intervals (Collocator Installs Interconnection and Power Cabling)

SWBT will provide Virtual Collocation arrangements in Eligible Structures on a "first-come, first-served" basis. The determination whether there is sufficient space to accommodate Virtual Collocation at a particular Eligible Structure will be made initially by SWBT. SWBT will notify Collocator as to whether its request for space has been granted or denied due to a lack of space within ten (10) calendar days from receipt of a Collocator's accurate and complete Virtual Collocation Application. If SWBT determines that Collocator's Virtual Collocation Application is unacceptable, SWBT shall advise Collocator of any deficiencies within this ten (10) calendar day period. SWBT shall provide Collocator with sufficient detail so that Collocator has a reasonable opportunity to cure each deficiency. To retain its place in the queue to obtain the Virtual Collocation arrangement, Collocator must cure any deficiencies in its Application and resubmit such Application within ten (10) calendar days after being advised of the deficiencies. Any changes to the amount or type of floor space, interconnection terminations, and power requested from the originally submitted Virtual Collocation Application will not be considered a deficiency, but rather as a new Virtual Collocation Application with a new ten (10) calendar day space notification and a new delivery interval. The delivery intervals set forth in this Section 18.3 is for new and augment Virtual Collocation Applications and apply only when the Collocator installs interconnection and power cabling.

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